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**REMARKS**

This is in response to the final Office Action mailed on August 28, 2006, in which claims 1-6, 8-15, and 19-25 were rejected under 35 U.S.C. § 102(e) as being anticipated by Ohtomo et al. (U.S. Pat. No. 6,791,795); and claims 7 and 16-18 were objected to as being allowable but dependent on a rejected base claim. With this Amendment, claims 4, 6, and 7 are canceled, and claims 1, 21, and 23 are amended. Claims 1-3, 5, 8-14 and 19-25 remain pending in the present application.

Claims 1-6, 8-12, and 21-25 were rejected under 35 U.S.C. § 102(e) as being anticipated by Ohtomo et al. With this Amendment, editorial amendments are made to claims 1, 5, and 8. In addition, claim 1 is amended to incorporate all limitations of claim 7 and intervening claim 4 into this claim, which the Office Action indicated would put claim 1 in allowable form. Additionally, the limitations of claim 6 were also incorporated into claim 1 to require that the second bottom pole portion extends to at least the magnetic throat height of the magnetic writer. Therefore, because claim 1 is in allowable form, the rejection claim 1 and dependent claims 2, 3, 5 and 8-12 under 35 U.S.C. § 102(e) should be withdrawn.

Claim 21 is also amended to further differentiate it from the device taught by Ohtomo et al. In order to reject a claim under § 102(e), the reference must teach each and every limitation of the claims. MPEP 2131; *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 2 USPQ2d 1051 (Fed. Cir. 1987). Amended claim 21 requires a top pole including a first top pole portion, a second top pole portion, and a top pole extension positioned therebetween, and a bottom pole including a first bottom pole portion and a second bottom pole portion, the second bottom pole portion being positioned proximate to the top pole and extending from the front surface to at least a magnetic throat height of the magnetic writer. The magnetic throat height is a distance from the front surface to an edge of the first top pole portion distal from the front surface. By forming the second bottom pole portion beyond the magnetic throat height of the magnetic writer, the magnetic field strength at the gap layer is enhanced. Page 7, lines 1-7. By forming the second bottom pole portion to the magnetic throat height of the magnetic writer, the portion of the bottom pole proximate

the top pole may be formed thicker, which allows for stronger magnetic fields at the gap layer. Page 10, lines 5-12.

Ohtomo et al. teach a thin film magnetic head including a lower magnetic pole having lower magnetic pole main layer 18, a lower magnetic pole front end layer 19, and a lower magnetic pole rear end layer 20. The thin film magnetic head also includes an upper magnetic pole having upper magnetic pole front end layer 8 and upper magnetic pole rear end layer 9. When a recording current is applied to the lower coil 12 and the upper coil 12', a magnetic flux is induced in the upper magnetic pole front end layer 8, the upper magnetic pole top layer 13, the upper magnetic pole rear end layer 9, the lower magnetic pole rear end layer 20, the lower magnetic pole main layer 18, the lower magnetic pole front end layer 19, and the lower magnetic pole projection layer 24. Col. 4, line 66 to col. 5, line 43. As was indicated in the Office Action dated May 9, 2006 with regard to canceled claims 16-18 (the limitations of which were incorporated into claim 13 in the last filed Amendment to put it into its currently allowed form), Ohtomo et al. do not teach a second bottom pole portion that extends from the front surface to or beyond the magnetic throat height of the magnetic writer, wherein the throat height is a distance from the front surface to an edge of the first top pole portion distal from the front surface. These limitations have now been incorporated into claim 21, which puts this claim into a condition for allowance. Therefore, because the recited elements claim 21 are not taught by Ohtomo et al., the rejection of these claims under 35 U.S.C. § 102(e) should be withdrawn.

Claims 22-25 were also rejected under 35 U.S.C. § 102(e) as being anticipated by Ohtomo et al. Claims 22-25 depend from claim 21. As discussed above, amended claim 21 is not anticipated or otherwise taught by Ohtomo et al. Therefore, claims 22-25 are also not anticipated or otherwise taught by Ohtomo et al.

The allowance of claims 13, 14, 19, and 20 is acknowledged.

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**CONCLUSION**

In view of the foregoing, all pending claims 1-3, 5, 8-14 and 19-25 are in condition for allowance. Reconsideration and allowance of all pending claims are respectfully requested.

Respectfully submitted,

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